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U.S. Patent Application Serial No. 10/677,216  
Response filed July 13, 2006  
Reply to OA dated April 14, 2006

REMARKS

Claims 1 - 24 have been canceled without prejudice or disclaimer. In place of the canceled claims, claims 25 - 34 have been added in order to more particularly point out, and distinctly claim the subject matter to which the applicant regards as his invention. The applicant respectfully submits that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated April 14, 2006.

Claims 25 - 34 remain in this application, claims 1 - 24 having been canceled without prejudice or disclaimer. Claims 25, 31 and 32 are independent claims.

Claim 1 has been objected to due to an informality set forth in item 7, page 2 of the outstanding Action. The applicant respectfully requests reconsideration of this objection.

As indicated above, claim 1 has been canceled without prejudice or disclaimer. Thus, the outstanding objection to claim 1 is now moot. Added claims 25 - 34 avoid the informality directed to claim 1, now canceled.

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Accordingly, the withdrawal of the outstanding objection to claim 1 is in order, and is therefore respectfully solicited.

Furthermore, claims 2, 5, 6 - 8, 11 and 17 - 21 stand rejected under 35 USC 112, second paragraph, for the reasons set forth in item 9, page 3 of the outstanding Action. The applicant respectfully requests reconsideration of this rejection.

Again, as indicated above, claims 2, 5, 6 - 8, 11 and 17 - 21 have been canceled without prejudice or disclaimer. Thus, the outstanding indefiniteness rejection of claims 2, 5, 6 - 8, 11 and 17 - 21 is now moot. Added claims 25 - 34 avoid the informalities directed to claims 2, 5, 6 - 8, 11 and 17 - 21, now canceled.

Accordingly, the withdrawal of the outstanding indefiniteness rejection under 35 USC 112, second paragraph, is in order, and is therefore respectfully solicited.

Moreover, claims 1 - 6 and 21 - 22 stand rejected under 35 USC 101 as being directed to non-statutory subject matter. The applicant respectfully requests reconsideration of these rejections.

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Claims 1 - 6 and 21 - 22 have been canceled without prejudice or disclaimer. Thus, the outstanding rejections under 35 USC 101 are now also moot. It is submitted that claims 1 - 6 and 21 - 22 are directed to statutory subject matter, and avoid the objections directed to claims 1 - 6 and 21 - 22, now canceled.

In view of the above, the withdrawal of the outstanding rejections under 35 USC 101 is in order, and is therefore respectfully solicited.

As to the merits of this case, claims 1 - 24 stand rejected under 35 USC 102(b) as being anticipated by Hatano (EP 0 935 123 A2), owned by Pioneer Corporation, the assignee in this case. The applicant respectfully requests reconsideration of this rejection.

Claims 1 - 24 have been canceled without prejudice or disclaimer. Thus, the outstanding rejection of claims 1 - 24 is now also moot.

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The applicant submits that each of the claimed information retrieving device (as now set forth in independent claim 25), the claimed information retrieving system (as now set forth in independent claim 31), and the claimed information retrieving method (as now set forth in independent claim 32) includes a memory section for storing a plurality of retrieval item information, each of the plurality of retrieval item information being defined with upper retrieval item information and/or lower retrieval item information to be hierarchically arranged, and a retrieval mode information that is associated with respective upper retrieval item information, the retrieval mode information representing a retrieval mode of immediate lower retrieval item information that belongs to a hierarchy immediately below the respective upper retrieval item information. The applicant's claimed invention, as now set forth in each of claims 25, 31 and 32, further includes an information selecting section for selecting one of the plurality of retrieval item information; an information acquiring section for acquiring the retrieval mode information that is associated with the selected retrieval item information; and a display controller for displaying the immediate lower retrieval item information in accordance with the retrieval mode information.

In the prior art, the retrieving screen mode of lower retrieval item information is determined by: (1) determining whether selected upper retrieval item information is associates with a plurality of lower retrieval item information, and (2) determining the specific contents of the lower retrieval item information, which requires a complicated arrangement and considerable processing time.

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On the other hand, in the applicant's claimed invention, since the respective retrieval item information and the retrieval mode information representing the retrieval mode of the immediate lower retrieval item information of the respective retrieval item information are associated and stored, a search screen in accordance with the type and number of the lower retrieval item information can be rapidly presented.

Such distinguishable claimed structural arrangements or features of the claimed invention are not taught in the cited reference. Hatano (again, owned by the assignee in this case) merely teaches that information (and hierarchy thereof) corresponding to input information (typically a keyword in voice input) is selected from among a predetermined plurality of candidates; thereby, facilitating retrieval of desired information. Although Hatano teaches a sort of hierarchically arranged retrieval items, the Hatano does not teach, expressed or implied, retrieval mode information being associated with respective retrieval item information and representing a retrieval mode of the immediate lower retrieval item information belonging to a hierarchy immediately below the respective retrieval item information, the retrieval mode information being used in displaying the immediate lower retrieval item information.

Accordingly, since not all of the claimed elements or features of the claimed invention, as now set forth in each of independent claims 25, 31 and 32, are found in exactly the same situation and united in the same way to perform the identical function in Hatano's device, system or process,

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there can be no anticipation of the claimed invention, set forth in these claims, under 35 USC 102(b) based on the Hatano reference.

Furthermore, claims 26 - 30 and claims 33 - 34 depend on independent claims 25 and 32, and further limit the scope of claims 25 and 32, respectively. Thus, at least for the reasons discussed above with respect to claims 25 and 32, claims 26 - 30, 33 and 34 should now be similarly allowable.

In view of the above, the withdrawal of the outstanding anticipation rejection under 35 USC 102(b) based on Hatano (EP 0 935 123 A2) is in order, and is therefore respectfully solicited.

In view of the aforementioned amendments and accompanying remarks, claims, as amended, are in condition for allowance, which action, at an early date, is requested.

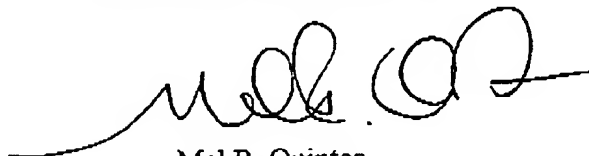
If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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